

**FILED**

**FEB - 8 2019**

**UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA**

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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION and PACIFIC GAS  
AND ELECTRIC COMPANY,

Debtors.

Case No.: 19-30088 (DM)

Chapter 11

**AMICUS BRIEF**

Date Action Filed: January 29, 2019  
Hon. Dennis Montali

ANDREW PAUL KANGAS hereby submits the following Amicus brief in the matter of Pacific Gas and Electric Company, (hereafter PG&E) in the United States Bankruptcy Court, Northern District of California, San Francisco Division.

Paul Kangas is a PG&E shareholder. This Amicus brief draws the Court's attention to a serious threat to loss of life and property, and threat to public safety in connection with this case, posed by PG&E's Diablo Canyon Nuclear Power Plant, Unit #1.

PG&E was convicted on January 26th, 2017, of Criminal negligence in the pursuit of profit to the exclusion of reasonable safety, after the company failed to maintain and test its gas line in San Bruno California under the Federal Pipeline Safety Act. (2002). PG&E is on probation supervised by the United States District Court, Northern District, San Francisco Venue Pacific Gas and Electric Company, Docket Number 0971 3:14CR00175-001 WHA. PG&E was convicted of various felonies for killing eight San Bruno residents in an avoidable 2010 gas explosion. PG&E's pipes blew up because the company deferred maintenance to save money. The supervising Judge William Alsup, recently asked PG&E's president, should I "let you keep killing people?"

1 On January 30, 2019 PG&E appeared in response to an allegation that it has  
2 violated its probation by failing to report to probation that the Butte County District  
3 Attorney's Office had negotiated a settlement agreement, forgoing any criminal prosecution or  
4 punishment for the October 2017 Butte County fires. PG&E failed to report an investigation by  
5 the Butte County District Attorney's Office to the probation office. PG&E also failed to report  
6 to the probation office that Cal Fire had deemed them responsible for the October 2017 Honey  
7 Fire; that there was the possibility of criminal prosecution; or that they entered into a settlement  
8 agreement with Butte County to avoid such criminal prosecution.

9 On February 6, 2019 a PG&E gas line exploded under a San Francisco street. A National  
10 Transportation Safety Board team is investigating the explosion that left two buildings with  
11 major structural damage and three others with extensive water damage. Flames shot high in the  
12 air for more than two hours before crews stopped the flow of gas.

13 In this case PG&E has filed for bankruptcy protection after being sued for billions of  
14 dollars for igniting the November 2018 Camp Fire which destroyed the community of Paradise  
15 California. PG&E's northern California power lines ignited at least 17 fires in which scores died  
16 and a thousand homes burned. The corporation is under investigation for failing to shut off its  
17 grid power supply during a high wind event, after publicly notifying residents of the area of the  
18 Camp Fire that it would take this step to avoid the possibility of a power line downed by wind  
19 starting a fire. PG&E could not shut its power grid down because PG&E's electrical system  
20 lacks installed switching equipment.


21 Within PG&E the company is well known to prefer to maximize profit at the expense  
22 of maintenance and equipment. This policy is known internally as "Use Until Fail". The lines,  
23 towers and grid control equipment in the area of Paradise California were substandard, and dated  
24 from the 1940's. In May 2018 the California Public Utilities Commission specifically ordered  
25 PG&E to replace power lines in this area, which the company failed to do prior to the devastating  
26 fire, which resulted from the company's inability to effectively shut down its power grid on  
27 November 8th, 2018.

28 The matter Amicus draws the Court's attention to is the shutdown of PG&E's Diablo  
Canyon Nuclear Power Plant, Unit #1 which began on February 3, 2019, for inspection of the  
core, and scheduled refueling. PG&E intends to close the reactor for an undisclosed length of  
time, possibly for a month. Amicus party calls on the Court to enjoin PG&E from restarting Unit  
#1, as amicus party is in agreement with the recent statement of Retired Nuclear Regulatory  
Commission Judge, Alex Karin. His statement of January 23rd, 2019 is as follows:

1 “The existing panel – the Diablo Canyon Decommissioning Engagement Panel – was  
2 created by PG&E to serve as a public relations “conduit” for PG&E. It allows PG&E  
3 to “check the box” of public engagement, without hassle. ...Speaking as an individual  
4 with 45 years of environment#1, given its bankruptcy and corporate policy to  
5 maximize profit, and the company’s demonstrated and willful disregard for following  
6 Federal safety mandates. Shutdown down of Unit #1 for refueling at this time is the only  
7 opportunity for an independent safety inspection to be made, before the reactor is  
8 restarted for the next 6 years.

9 PG&E is currently guaranteed a large rate based fee as long as the reactors at Diablo  
10 Canyon continue to operate until the planned 2025 date. PG&E has demonstrated it does not  
11 hold the Public’s safety above profit. Its history of engineering decisions is proven to be neglect.  
12 Amicus calls for the Court to issue an injunction against the company, to impose an independent  
13 engineering assessment of Unit # 1 at the Diablo Canyon Nuclear Power Plant.

14 DATED: February 8, 2019

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16 Andrew Paul Kangas  
17 Plaintiff in Pro Se  
18 PG&E Shareholder  
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1 CERTIFICATE OF SERVICE

2 (C.C.P. 1012, 1013, 2015.5)

3 Case No.: 19-30088

4  
5 I certify that my mailing address is: c/o John F. Lee, Attorney at Law, 15 Boardman  
6 Place, Second Floor, San Francisco, CA 94103 and I am a citizen of the United States, over 18  
7 years of age, a resident of the County of San Francisco, and not a party within the action; I  
8 served a true copy of the attached:

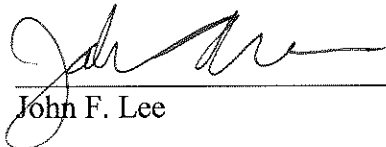
9 By first class mail, postage pre-paid on:

10 Stephen Karotkin  
11 WEIL, GOTSHAL & MANGES LLP  
12 767 Fifth Avenue  
13 New York, NY 10153-0119

14 Tobias S. Keller  
15 KELLER & BENVENUTTI LLP  
16 650 California Street, Suite 1900  
17 San Francisco, CA 94108

18 I certify under penalty of perjury that the foregoing is true and correct.

19 Dated: February 8, 2019

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John F. Lee